

Financial Assistance Award

DENALI COMMISSION

510 L Street, Suite 410
Anchorage, Alaska 99501
(907) 271-1414 (phone)
(907) 271-1415 (fax)
www.denali.gov

Award Number

01245-00

Award Title

Adak Small Boat Harbor Phase II

Performance Period

April 1, 2010 through December 31, 2012

Recipient Organization & Address

Adak, City of
PO BOX 2011
Adak, AK 99546-2011

Authority

112 Stat 1854

CFDA Number

90.100

Denali Commission Finance Officer Certification

Jennifer Price
04/28/2010

Phone:**Recipient DUNS # 128599961**

TIN # 92-0175821

Cost Share Distribution Table

Accounting Code	New Funding		Prior Period Funding		Total
	Denali Commission	Other Contributors	Denali Commission	Other Contributors	
95670000	\$1,600,000.00		\$0.00		\$1,600,000.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
	\$0.00		\$0.00		\$0.00
City of Adak		\$1,000,000.00		\$0.00	\$1,000,000.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
		\$0.00		\$0.00	\$0.00
Total	\$1,600,000.00	\$1,000,000.00	\$0.00	\$0.00	\$2,600,000.00

This Financial Assistance Award approved by the Federal Co-Chair of the Denali Commission constitutes an obligation of federal funding.

Award Conditions to the Financial Assistance Award between the Denali Commission and the City of Adak for Adak Small Boat Harbor Phase II, Award No. 01245

Continued on the following pages.

Signature of Authorized Official - Denali Commission

Electronically Signed

Typed Name and Title

Joel Neimeyer
Federal Co-Chair

Date

04/28/2010

AWARD ATTACHMENTS

Adak, City of

01245-00

1. Award Conditions - Adak Small Boat Harbor Phase II

***Award Conditions to the Financial Assistance Award
Between the Denali Commission and the City of Adak
For Adak Small Boat Harbor Phase II
Award No. 01245***

1. Scope of Work

The Denali Commission (Commission) is providing \$1,600,000 in FY08 FTA Section 5309 SAFETEA-LU funds to the City of Adak for the construction of the subject project. The City of Adak is providing \$1,000,000 in State of Alaska grant funds that includes the required \$320,000 match for the project funds.

Funding for this project will allow the City of Adak to complete Phase II of the four phase harbor development project. This project will dredge the entrance channel; expand the turn basin and vessel float area. This phase of work will provide independent utility of the basin as a mooring facility and will set the stage for harbor floats installation, and in a final phase, harbor utilities. The project longevity extends beyond 30 years, providing a safe harbor in a major fishing port, creating a new facility that is more than 36 hours closer to the area fishing grounds from the boat harbor facilities in Unalaska.

Project performance shall be monitored and measured on a quarterly basis using the documentation of record (project nomination) as a reference point, making updates as necessary. The following items shall be monitored and reported in the narrative of the quarterly report:

1. Improves fishing fleet efficiencies and safety
2. Reduces maintenance and operations vessel costs
3. Improves access to fuel and freight
4. Improves intermodal connections
5. Provides economic development opportunities to the community of Adak

The project sponsor (Recipient) has demonstrated the administrative capability for managing Denali Commission funds, as documented by the Denali Commission Transportation Program Manager (Manager) and retained in the subject award file. Denali Commission will provide financial management and project development technical assistance throughout the project to assist in successful project execution. All payments for design and/or construction tasks associated with the subject project are on a reimbursable payment basis.

Contractual and consulting services used in this project shall be procured in an open and fair competitive manner, consistent with the Federal Acquisition Requirements (FARS) and other applicable federal law.

Contractual services procured through sole-source contracts, or through processes that do not meet the FAR and/or Title 23 requirements, will not be eligible for Denali Commission funding.

Prior to starting the competitive-bid process for design engineering and/or construction management services, the Recipient will meet in a pre-bid meeting with the Manager to review the procurement process.

The Manager will work with the Recipient to develop a procurement process applicable to project conditions. The Manager will approve the procurement process prior to advertising for design engineering and/or construction management services.

Subsequent to the successful award of a design engineering and/or construction management contract, the Recipient, the successful firm and the Manager will conduct a post-award meeting to review requirements associated with the contract tasks.

CONSTRUCTION

Construction Management will be accomplished through a qualified construction management firm, selected by the Recipient through a competitive bid process compatible with Title 23 USC requirements. Prior to advertising, the project sponsor will submit the procurement process and advertising package to the Manager for approval.

If construction bid documents are not in place for the Denali Commission funded project, the selected engineering firm will prepare construction bid documents for approval, and will execute subsequent advertising, selection and negotiation tasks for the Recipient.

The Recipient, through the selected engineering firm, will execute construction under Davis-Bacon wage requirements and in accordance with the project's approved NEPA environmental documents, Corps of Engineers permits, and other federal, state and local permits.

The Recipient owns the facility and will ensure a clear Right of Way adequate for construction. The approved environmental and Right of Way documents will be retained in the project's file at Denali Commission. The Recipient is responsible for ongoing maintenance after construction is complete.

All Commission funding is intended for use for the scope of work identified in the Award document only. Any balance of funds remaining after the full scope of work has been completed will be returned to the Denali Commission.

2. *Milestones*

The following milestones are identified as the major steps to be completed as part of the project. "Planned" dates for the first milestone are included here. As part of each progress report, recipients shall update the progress toward meeting these milestones (see section 7, Reporting).

Milestone	Planned		Actual		Units	Total Cost At Completion
	Start Date	End Date	Start Date	End Date		
Construction	4/1/10	12/31/12			0	\$0.00
Project Close-out	1/01/13	3/31/13			0	\$0.00

3. Award Performance Period

The Award performance period is April 1, 2010 through December 31, 2012. This is the period during which Award recipients can incur obligations or costs against this Award.

4. Direct and Indirect Costs

The cost principles of 2 CFR 225 (OMB Circular A-87) are applicable to this Award. Indirect costs up to 5% are allowable under this Award. Please refer to the cost principles regulations for specific details on other allowable charges under this Award.

5. Budget and Program Revisions

The Administrative Circular, OMB A-102, applies to this Award. Please refer to the Administrative Circular for specific details on revisions to this Award. The Administrative Circular requires that City of Adak will inform the Commission in writing (e-mail, letter, or report) at the earliest possible date of any unanticipated project cost overrun, project schedule delays, or changes in the project scope or changed site conditions.

6. Payments

Payments under this Award will be made by electronic transfer in response to a "Request for Advance or Reimbursement", Standard Form 270 (SF-270) submitted by the City of Adak. Requests for reimbursements may be made as needed. The SF-270 must be submitted to the Denali Commission via fax, e-mail (finance@denali.gov) or mail in order for payment to be processed. The form is available on the OMB website: http://www.whitehouse.gov/OMB/grants/grants_forms.html. Payments shall be made in accordance with OMB Circular A-102. Please contact the Denali Commission's Finance Specialist at (907) 271-1414 for further information about submitting this form. **No interest will be accrued on these funds.**

7. Reporting

Two forms of project reporting are required under this Award, listed below. City of Adak shall submit reports using the Denali Commission's on-line Project Database System, available at www.denali.gov. If there are technical limitations which may prevent the recipient from meeting this requirement, please contact the Program Manager listed in this agreement.

- a. **Progress Reports** shall be submitted on a quarterly basis. The first reporting period is April 1, 2010 to June 30, 2010, and quarterly thereafter. Reports are due within 30 days of the end of the reporting period. Progress reports shall include the following:
 - i. Total project funding, including both Denali Commission funding and other project funding sources.
 - ii. The total project expenditures for the project as of the end of the reporting period, including both Denali Commission and Other funding sources.
 - iii. Updated schedule and milestone information as identified in the Scope of Work.
 - iv. Narrative summary of the project status and accomplishments to date, and address the following questions: is the project on schedule, is the project on budget, and what actions are planned to address any project problems.
 - v. **Construction Projects** Photographic documentation of project progress shall be provided with the progress reports for active construction projects. The photo documentation shall include a minimum of three, dated photos per reporting period such that a complete record of the construction is maintained over time, from “before,” showing the situation before the start of construction, to “during” showing work proceeding on the project, and “after” to show the finished project. Photos shall be provided in a digital format as part of the on-line report. A short description of the activity and names of those in the photos shall also be provided.
- b. **Federal Single Audits** shall be submitted annually, when required. In accordance with OMB Circular A-133, which requires [subpart 200] “Non-Federal entities that expend \$500,000 or more in a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the provisions of this part [subpart 205]. The determination of when an award is expended should be based on when the activity related to the award occurs.”

Recipients shall also submit single audits to the Federal Clearinghouse as designated by OMB. Information can be found on the following web-site:

<http://harvester.census.gov/sac/>

In addition to reporting quarterly, The City of Adak shall meet twice annually with the Commission to report lessons learned and project status. These meetings shall include community participation.

8. Project/Award Close-Out

The project close-out report shall be completed within 90 days of the end of the Award performance period or within 90 days of the completion of the project, whichever is earlier. Recipients must also draw down any remaining funds for expenditures incurred under this award during this 90-day period.

The project close-out report shall be submitted on-line through the Denali Commission's on-line Project Database System, available at www.denali.gov. The project close out will require the recipient to submit the following information:

- a. Final data for each item listed in paragraph 7(a) "Progress Reports".
- b. Final project expenditures itemized by the following categories: planning & design; materials & equipment; freight; labor; project administration/overhead and other expenses.
- c. Acknowledgement of support: For all construction projects, the Award recipient shall display a sign that acknowledges the Government's support for the project(s) developed under this Award. The Commission will provide an appropriate sign. The Award recipient must request an indoor and/or an outdoor sign from the Commission office. Pickup or delivery of the sign can be arranged at that time.

9. Public Policy Laws and Assurances

Award Recipients are required to comply with the public policy laws and assurances on Standard Form, SF 424d (construction projects). This form must also be signed by a certifying official of the organization. Some of the laws are highlighted below for your reference.

To the maximum extent practicable, considering applicable laws, Funding Recipients shall accomplish the project contemplated by the Award using local Alaska firms and labor.

No portion of this award may be used for lobbying or propaganda purposes as prohibited by 18 U.S.C. Section 1913 or Section 607(a) of Public Law 96-74.

Project level environmental reviews in accordance with the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) are required for each project undertaken with Denali Commission funds.

10. Non-Compliance with Award Conditions

Recipients not in compliance with the terms and conditions of this Financial Assistance Award will be notified by the Denali Commission. The Denali Commission will work with the recipient to identify the steps necessary to bring them back into compliance, and will establish an appropriate time frame for the corrections to be made. If the corrections have not been made by the deadline, the Denali Commission reserves the right to either suspend or unilaterally terminate the Financial Assistance Award for non-performance.

11. Program Manager, Financial Manager & Other Contact Information

Denali Commission	City of Adak
Mike McKinnon Program Manager 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-523-9877 Fax: 907-271-1415 E-mail: mmckinnon@denali.gov	John Schroeder PO Box 2011 Adak, Alaska 99546 Phone: 907-592-4500 Fax: 907-592-4262 Email: scs@gci.net
Betty Sorensen Grants Administrator 510 L Street, Suite 410 Anchorage, AK 99501 Phone: 907-271-3415 Fax: 907-271-1415 E-mail: bsorensen@denali.gov	Peggy Campbell Financial Contact PO Box 2011 Adak, Alaska 99546 Phone: 907-592-4500 Fax: 907-592-4262 Email: scs@gci.net